RCE  
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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application Number	10/007,772
Filing Date	November 8, 2001
First Named Inventor	Bristol, et al.
Group Art Unit	2125
Examiner Name	Gandhi, Jayprakash N.
Attorney Docket Number	539.3027.1

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

- Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.  
*(Any unentered amendment(s) referred to above will be entered.)*
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- Other \_\_\_\_\_

b.  Enclosed

- Amendment/Reply
- Affidavit(s)/Declaration(s)
- Information Disclosure Statement (IDS)
- Other: Certificate of Mailing; Return Receipt Postcard

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. *(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)*

b.  Other \_\_\_\_\_

**3. Fees** *The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed*

a.  The Director is hereby authorized to charge our Deposit Account No. 061910 if any additional fees are required.

b.  Check in the amount of \$910.00 is enclosed

- RCE fee required under 37 C.F.R. § 1.17(e)
- Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- Other \_\_\_\_\_

c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	James J. Paige	Registration No. (Attorney/Agent)	50,886
Signature		Date	3/10/05

**CERTIFICATE OF MAILING OR TRANSMISSION**

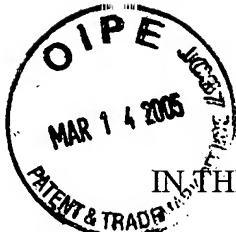
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450 Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Theresa Russek
Signature	

#3089851\1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Bristol, et al.

Application No.: 10/007,772

Filed: November 8, 2001

For: IMPLANTABLE THERAPEUTIC  
SUBSTANCE INFUSION DEVICE  
CONFIGURATION SYSTEM

To: MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Art Unit: 2125  
)  
)  
) Our Ref. 539.3027.1  
)(  
) (formerly 539.337.3.1)  
)  
) Examiner: Gandhi, Jayprakash N.  
)  
)  
I hereby certify this correspondence is being:  
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on this 10 day of March, 2005.

By Theresa Russek  
Theresa Russek

**AMENDMENT**

This Amendment is filed in response to the Examiner's last outstanding office action November 10, 2004, together with the enclosed Request for Continued Examination (RCE). Changes to any amended claim are shown by strike-through for deleted matter, or underlining for added matter.

**Amendments** begin on page 2 of this paper.

**Remarks** begin on page 6 of this paper.